Department of Labor relating to ''Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness''.

S.J. RES. 34

At the request of Mr. FLAKE, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S.J. Res. 34, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to ''Protecting the Privacy of Customers of Broadband and Other Telecommunications Services''.

S. CON. RES. 6

At the request of Mr. BARRASSO, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. CON. RES. 7

At the request of Mr. ROBERTS, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 76

At the request of Mr. CASEY, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. Res. 76, a resolution expressing support for the designation of March 21, 2017, as ''National Rosie the Riveter Day''.

S. RES. 81

At the request of Mr. MANCHIN, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Colorado (Mr. GARDNER), and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. Res. 81, a resolution recognizing the 196th anniversary of the independence of Greece and celebrating democracy in Greece and the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself and Mr. GRASSLEY):

S. 610. A bill to promote transparency by permitting the Public Company Accounting Oversight Board to allow its disciplinary proceedings to be open to the public, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, I am reintroducing the PCAOB Enforcement Transparency Act along with Senator Grassley. This bill permits the Public Company Accounting Oversight Board, PCAOB, to make public the disciplinary proceedings it has brought against auditors and audit firms earlier in the process.

Over 10 years ago, our markets were victimized by a series of massive financial reporting frauds, including those involving Enron and WorldCom. In response to this crisis, the Senate Committee on Banking, Housing, and Urban Affairs conducted multiple hearings, which produced consensus on a number of underlying causes, including weak corporate governance, a lack of accountability, and inadequate oversight of accountants charged with auditing public companies' financial statements.

In order to address the gaps and structural weaknesses revealed by the investigation and hearings, the Senate passed the Sarbanes-Oxley Act of 2002 in a 99-to-0 vote. Among its many provisions, this law called for the creation of a strong, independent board, the PCAOB, responsible for overseeing auditors of public companies in order to protect investors who rely on independent audit reports on the financial statements of public companies.

To conduct its duties, the PCAOB, under the oversight of the U.S. Securities and Exchange Commission, SEC, oversees more than 1,500 registered accounting firms, as well as the audit partners and staff who contribute to a firm's work on each audit. The board's ability to initiate proceedings to determine whether there have been violations of its auditing standards or rules of professional practice is an important component of its oversight.

However, unlike other oversight bodies, such as the SEC, the U.S. Department of Labor, the Federal Deposit Insurance Corporation, the U.S. Commodity Futures Trading Commission, the Financial Industry Regulatory Authority, and others, the Board's disciplinary proceedings are not allowed to be public without consent from the parties involved. Of course, parties subject to disciplinary proceedings have no incentive to consent to publicizing their alleged wrongdoing and thus these proceedings typically remain cloaked behind a veil of secrecy. In addition, the board's decisions in disciplinary proceedings are not allowed to be publicized until after the complete exhaustion of an appeals process, which can often take several years.

These PCAOB disciplinary proceedings create a lack of transparency that invites abuse and undermines the congressional intent behind the PCAOB, which was to shine a bright light on auditing firms and practices, and to bolster the accountability of auditors of public companies to the investing public.

Over the years, some bad actors have taken advantage of this loophole to shield themselves from public scrutiny and accountability. PCAOB Chairman James Doty has repeatedly stated in testimony provided to both the Senate and House of Representatives over the years that the secrecy of the proceedings ''has a variety of unfortunate consequences'' and that such secrecy is harmful to investors, the auditing profession, and the public at large.

For example, an accounting firm that was subject to a disciplinary proceeding continued to issue no fewer than 29 additional audit reports on public companies without any of those companies knowing about its PCAOB disciplinary proceedings. Disturbingly, investors and the public company clients of that audit firm were deprived of relevant information about the proceedings against the firm and the substance of any violations.

In addition to the reasons I have already provided, there are other reasons why the board's enforcement proceedings should be open and transparent.

First, the incentive to litigate cases in order to continue to shield conduct from public scrutiny as long as possible frustrates the process and requires the expenditure of needless resources by both litigants and the PCAOB.

Second, agencies such as the SEC have found open and transparent disciplinary proceedings to be valuable because they inform peer audit firms of the type of activity that may give rise to enforcement action by the regulator. In effect, transparent proceedings can serve as a deterrent to misconduct because of a perceived increase in the likelihood of ''getting caught.'' Accordingly, the audit industry as a whole would also benefit from timely, public, and nonsecret enforcement proceedings.

Our bill will make hearings by the PCAOB, and all related notices, orders, and motions, transparent and available to the public unless otherwise ordered by the Board. This would more closely align the PCAOB's procedures with those of the SEC for analogous matters.

Increasing transparency and accountability of audit firms subject to PCAOB disciplinary proceedings is a critical component of bolstering and maintaining investor confidence in our financial markets, while better protecting companies from problematic auditors. I hope our colleagues will join Senator Grassley and me in supporting this legislation to enhance transparency in the PCAOB's enforcement process.

By Mrs. FEINSTEIN (for herself and Mr. PORTMAN):

S. 611. A bill to amend the McKinney-Vento Homeless Assistance Act to meet the needs of homeless children, youth, and families, and honor the assessments and priorities of local communities; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce bipartisan legislation with my colleague Senator Portman that would align HUD homeless assistance with existing Federal children and youth programs and provide flexibility to local communities to use available resources to meet the needs that they identify.

According to the U.S. Department of Education, approximately 1.2 million children were homeless during the 2014 to 2015 school year; this is a 34-percent increase from the 939,903 homeless students in the 2009 to 2010 school year.

In California, over 229,000 children experienced homelessness in 2015, nearly four times the 65,000 homeless children in the State in 2003.

Unfortunately, the numbers reported by the HUD Point-in-Time count fail to reflect these increasing numbers.

According to the national 2015 HUD Point-in-Time count, there were only 206,286 people counted as homeless in households that included children, a fraction of the true number.

This is important because only those children counted by HUD are eligible for vital homeless assistance programs and included in local planning efforts. The rest of these children and families are simply out of luck.

The Homeless Children and Youth Act of 2017 would allow HUD homeless assistance programs to serve extremely vulnerable children and families, specifically those staying in motels or in doubled-up situations because they have nowhere else to go.

These families are especially susceptible to abuse and trafficking because they are often not served by a case manager and thus remain hidden from potential social service providers.

As a result of the current narrow HUD definition, communities that receive Federal funding through the competitive application process are unable to prioritize or direct resources to help these children and families.

This bill would provide communities with the flexibility to use Federal funds to meet local priorities. The bill requires the Secretary to assess the extent to which Continuums of Care use separate, specific, age-appropriate criteria for determining the safety and needs of children and unaccompanied youth and divert people to safe, stable, age-appropriate accommodations.

And I would note that the bill does not impose any new mandates on service providers.

Finally, this legislation improves data collection transparency by requiring HUD to report the point in time PIT count and the Annual Homeless Assessment Report, AHAR to include data on all categories of homelessness.

Mr. President, I am pleased that Senator Rob Portman has joined me as an original cosponsor on this bill. Homelessness continues to plague our Nation. If we fail to address the needs of these children and families today, they will remain stuck in a cycle of poverty and chronic homelessness.

It is our moral obligation to ensure that we do not erect more barriers for these children and families to access services when they are experiencing extreme hardship. I believe this bill is a commonsense solution that will ensure that homeless families and children can receive the help they need.

By Mr. LEE (for himself and Mr. HATCH):

S.J. Res. 38. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Environmental Protection Agency relating to ''Approval, Disapproval and Promulgation of Air Quality Implementation Plans; Partial Approval and Partial Disapproval of Air Quality Implementation Plans and Federal Implementation Plan; Utah; Revisions to Regional Haze State Implementation Plan; Federal Implementation Plan for Regional Haze''; to the Committee on Environment and Public Works.

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the Democratic leader, pursuant to Public Law 105–83, the reappointment of the following individual to serve as a member of the National Council on the Arts: the Honorable TAMMY BALDWIN of Wisconsin.

The Chair, on behalf of the President pro tempore, pursuant to Public Law 96–388, as amended by Public Law 97–84, and Public Law 106–292, reappoints the following Senators to the United States Holocaust Memorial Council: the Honorable BERNARD SANDERS of Vermont and the Honorable AL FRANKEN of Minnesota.

The Chair, pursuant to Executive order 12131, as amended and extended, appoints the following Senators to the President's Export Council: the Honorable AMY KLOBUCHAR of Minnesota and the Honorable KIRSTEN E. GILLIBRAND of New York.

The Chair, on behalf of the President of the Senate, pursuant to Public Law 85–874, as amended, reappoints the following Senator to the Board of Trustees of the John F. Kennedy Center for the Performing Arts: the Honorable MARK WARNER of Virginia.

The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appoints the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 115th Congress: the Honorable BENJAMIN L. CARDIN of Maryland, the Honorable SHELDON WHITEHOUSE of Rhode Island, the Honorable TOM UDALL of New Mexico, and the Honorable JEANNE SHAHEEN of New Hampshire.

The Chair, on behalf of the President of the Senate, pursuant to Public Law 106–286, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China: the Honorable DIANNE FEINSTEIN of California, the Honorable JEFF MERKLEY of Oregon, and the Honorable GARY C. PETERS of Michigan.

ORDERS FOR TUESDAY, MARCH 14, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Tuesday, March 14; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume consideration of H.J. Res. 42.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR—Continued

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator CRUZ.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas.

Mr. CRUZ. Mr. President, I rise today to commend the Senate for taking up legislation that I have introduced, along with my colleague in the House, Chairman KEVIN BRADY, to reverse yet another instance of Executive overreach by the Obama administration.

H.J. Res. 42 passed the House 236 to 189, with support on both sides of the aisle, including nearly unanimous Republican support, and I urge my colleagues in this Chamber to swiftly approve this legislation and to send it to the President's desk for his signature.

In the bipartisan Middle Class Tax Relief and Job Creation Act of 2012, Congress permitted but did not require States to assess State unemployment compensation or insurance program applicants for drug usage under two circumstances: workers who had been discharged from their last job because of unlawful drug use and workers looking for jobs in occupations where applicants and employees are subject to drug testing.

The unemployment insurance program is designed to facilitate swift reemployment by requiring applicants to be able to work and actively seek employment in order to be eligible. The 2012 job creation act noted that if a worker lost a job due to drug usage, that worker would have established him- or herself as not being fully able or available to work.

Further, under appropriate State-level programs, States could choose to restrict benefits for individuals who fail drug tests as well as to design programs to help them overcome their drug use and become work-ready. A number of States have responded to this opportunity. We are not helping anyone by leaving them in the position where they are dependent on and addicted to drugs.

In Texas, for example, the Texas Legislature passed senate bill 21, which not